

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re

CUSTOMS AND TAX ADMINISTRATION  
OF THE KINGDOM OF DENMARK  
(SKATTEFORVALTNINGEN) TAX  
REFUND SCHEME LITIGATION,

This document relates to 1:18-cv-05053-LAK

MASTER DOCKET

Case No. 1:18-md-02865-LAK

**NOTICE OF THIRD-PARTY DEFENDANT ED&F MAN CAPITAL MARKETS, LTD.’S  
MOTION FOR RECONSIDERATION OF THE COURT’S ORDER  
DENYING ED&F MAN’S MOTION FOR A PROTECTIVE ORDER FOR A  
TEMPORARY STAY OF DISCOVERY**

**PLEASE TAKE NOTICE**, that upon the accompanying Memorandum of Law, dated November 21, 2019; and upon all prior pleadings and proceedings had herein, Third-Party Defendant ED&F Man Capital Markets Limited (“ED&F Man”), through its undersigned counsel, will move this Court before the Honorable Lewis A. Kaplan at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, Courtroom 21B, at a date and time to be determined by the court, for an order: (i) pursuant to Local Civil Rule 6.3, granting reconsideration of the Court’s Pre-Trial Order No. 11 dated November 7, 2019 (the “November 7 Order”) denying ED&F Man’s motion for a protective order staying discovery pending the Court’s ruling on ED&F Man’s motion to dismiss; (ii) vacating the November 7 Order to the extent that the Court has found that the discovery sought from ED&F Man would not be burdensome; (iii) finding that ED&F Man has asserted substantial and potentially dispositive defenses of lack of personal jurisdiction and *forum non conveniens* in support of dismissal of the third-party claims

against it; (iv) finding that SKAT would not be significantly prejudiced by a stay; and (v) granting such other and further relief as this Court may deem just and proper.

Dated: November 21, 2019  
New York, New York

**AKERMAN LLP**

By: /s/ Brian S. Fraser

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TO: All Counsel of Record (via ECF)